

To: R8 GKM Leadership Team[R8_GKM_LeadershipTeam@epa.gov]; Ostrander, David[Ostrander.David@epa.gov]
Cc: Jenkins, Laura Flynn[Jenkins.Laura@epa.gov]; Smith, Paula[Smith.Paula@epa.gov]; Card, Joan[Card.Joan@epa.gov]
From: StClair, Christie
Sent: Fri 5/27/2016 6:16:22 PM
Subject: RE: Daily Caller (DDL 5pm EST) - Hays Griswold

This is now closed. Final response:

The agency does not comment on personnel matters. Please see the agency's internal report for details regarding events on and leading up to Aug. 5, 2015.

Please contact BOR for details on their report.

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From: StClair, Christie

Sent: Friday, May 27, 2016 1:47 PM

To: R8 GKM Leadership Team <R8_GKM_LeadershipTeam@epa.gov>; Ostrander, David <Ostrander.David@epa.gov>

Cc: Jenkins, Laura Flynn <Jenkins.Laura@epa.gov>; Smith, Paula <Smith.Paula@epa.gov>; Card, Joan <Card.Joan@epa.gov>

Subject: RE: Daily Caller (DDL 5pm EST) - Hays Griswold

Hey folks, given that the holiday weekend is starting, is anyone available to work with us on this?

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Cc: Jenkins, Laura Flynn <Jenkins.Laura@epa.gov>; Smith, Paula <Smith.Paula@epa.gov>; Card, Joan <Card.Joan@epa.gov>

Subject: Daily Caller (DDL 5pm EST) - Hays Griswold

Ethan Barton from Daily Caller is returning to the question of Hays Griswold's instructions. I've drafted a response to get us started, please feel free to revise. I'll run by OGC after we know how we want to respond.

Thanks,
Christie

Ethan Barton

Daily Caller

DDL 5pm Today

1. Was temporary OSC Hays Griswold punished in any way for violating OSC Steven Way's instructions not to touch Gold King Mine's adit?

2. Did Griswold's team excavate up to the adit following someone else's orders? If so, who was it, and were they punished?

3. EPA in the past has said Way gave verbal orders to Griswold that contradicted the written orders to avoid the adit. If that's the case, was Way punished for making those orders? Are there any publicly available notes from that phone conversation?

DRAFT RESPONSE FOR R8 REVIEW: As Administrator McCarthy has said, "EPA and external entities will be thoroughly investigating the full facts regarding this incident and the response, and the agency will respond based on that information."

Additional background – I've highlighted two key sections for your awareness:

The agency's internal report (Addendum, p. 3), states: "In addition to providing the direction via e-mail (attached), [REDACTED] also provided clear verbal direction to [REDACTED], the EPA contractors, and DRMS staff not to proceed with any work on actually opening the adit until after his return and the planned consultation on August 14." On p. 4, the report states that the team was carefully scraping and excavating "to identify the location of the bedrock above and around the adit." The water spout appeared near the excavation location "above the adit."

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